



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, १० मार्च, १९९३/१९ फाल्गुन, १९१४

हिमाचल प्रदेश सरकार

[Authoritative english text of this Department Notification No. 12-10/89-Shram, dated 26-9-1991 as required under Article 348 (3) of the Constitution of India].

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Shimla-2, the 26th September, 1991

No. 12-10/89-Shram.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh in consultation with Himachal Pradesh Public Service Commission is pleased to make the following rules further to amend the R & P Rules for the post of Employment Market Information Officer, Deputy Chief University Employment and Guidance Bureau, Officer Incharge (Placement) Physically Handicapped, State Vocational Guidance Officer and Regional Employment Officer (Class-II Gazetted) in the Department of Labour and Employment notified *vide* Industries Department Notification No. I & S-15 (Estt.) 409/59, dated 1-3-66, No. 5-38/73-SI (Estt.), dated 17-12-73, No. 11-3-82-Shram (Estt.), dated 10-8-83 and No. Shram (I) 9/84, dated 6-8-88 and 7-11-89 as under namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Labour and Employment Department Class-II (Gazetted) Service R & P (4th Amendment) Rules, 1991.

(2) These Rules shall come in to force from the date of publication in the Official Gazette.

2. *Amendment of column 11.*—For the existing entries in column 11 of the Himachal Pradesh Labour and Employment Department Class-II (Gazetted) Service, Recruitment & Promotion Rules, as amended from time to time, the following entries shall be substituted, namely:—

“By promotion from amongst the District Employment Officers with three years regular or regular combined with *ad hoc* (rendered up to 31-3-91) service in the grade.

Note:—In all cases of promotion, the *ad hoc* service rendered in the feeder post up to 31-3-91, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in the Rules for promotion subject to the condition:—

- (a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis up to 31-3-91) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration :

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less :

Provided further that where a person becomes eligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be *ex-serviceman* recruited under the provisions of Rule 3 of Demobilised Armed Forces personnel (Reservation of Vacancies in Himachal State Non-Technical Service) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of *ex-servicemen* (Reservation of Vacancies in the Himachal Pradesh Technical Service), Rules, 1985 and having been given the benefit of seniority thereunder.

- (b) Similarly, in all cases of confirmation, *ad hoc* service rendered on the feeder post upto 31-3-91, if any, prior to the regular appointment against such post shall be taken into account towards the length of service:

Provided that *inter-se*-seniority as a result of confirmation after taking into account *ad hoc* service rendered upto 31-3-1991 shall remain unchanged.

By order,

J. P. NEGI,

Commissioner-cum-Secretary.